

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

MICHAEL A. VICTORY,

Plaintiff,

v.

J. SHAFFER, et al.,

Defendants.

Case No. 1:20-cv-00738-JLT-CDB (PC)

ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS TO DISMISS  
ACTION FOR A FAILURE TO STATE A  
CLAIM

(Doc. 21.)

The assigned magistrate judge issued findings and recommendations, recommending this action be dismissed for a failure to state a claim. (Doc. 21.) The magistrate judge found that because Plaintiff had received two opportunities to amend his complaint, further amendment would be futile. (*Id.* at 8.) On March 2, 2023, Plaintiff filed timely objections to the findings and recommendations. (Doc. 24.)

According to 28 U.S.C. § 636(b)(1)(C), the Court has conducted a *de novo* review of this case. Having carefully reviewed the file, including Plaintiff's objections, the Court finds the findings and recommendations to be supported by the record and proper analysis. Thus, the Court

**ORDERS:**

1. The findings and recommendations issued on January 11, 2023 (Doc. 21) are **ADOPTED IN FULL**.
2. This action is **DISMISSED** for Plaintiff's failure to state a claim upon which relief

can be granted.

3. The Clerk of the Court is directed to close this case.

IT IS SO ORDERED.

Dated: March 6, 2023

Jennifer L. Thurston  
UNITED STATES DISTRICT JUDGE